

Application Serial No. 10/620,842  
Attorney's Docket No.: 07319-091002

#### Remarks

Reconsideration and allowance of the above-referenced application are respectfully requested.

The disclosure is updated to include the patent number therein.

A typographical error has been corrected in claim 2. This now more properly recites that the belt is held around the frictional surface of the pulley. This should obviate the antecedent issue for claim 1.

The term "belt redirecting mechanism" has been added to page 4, and now provides proper antecedent for this term in the claims.

Claims 1-16 stand rejected under 35 USC 112, second paragraph, as being indefinite. The change to claim 2 obviates the issue about indefiniteness.

Claims 1-9, 11-15 and 17 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Cleveland in view of Wharton. This contention, however, is respectfully traversed. The rejection reasons that Cleveland teaches a basic system where a strobed light or type device has a belt that is placed near a light source. The rejection alleges that the placement of the belt and pulley in Cleveland could be modified according to the teaching in Wharton.

Application Serial No. 10/620,842  
Attorney's Docket No.: 07319-091002

However, and with all due respect, this is respectfully traversed. First of all, there is no incentive in either Cleveland or in Wharton to use the Wharton as way of winding the belt in Cleveland. Wharton apparently does this unusual winding to provide more surface of the belt portion around the frictional surface of the outside of the pulley 28. See generally Wharton, column 1, lines 30-35. By redirecting the belt 26 around the arms 22, 24, a greater percentage of the surface area of the pulley 28 is contacted.

However, one having ordinary skill in the art would have no incentive to modify Cleveland in this way. Cleveland does not require great amounts of torque on his rotatable system. Therefore, one having ordinary skill in the art would not be guided to use the much more complicated system of Wharton's belt looping, along with Cleveland's teaching of driving a strobe device. Quite simply, the arrangement of Wharton would not be necessary in Cleveland.

Therefore, it would not be obvious to combine the belt teachings of Wharton with the control system of Cleveland. Claim 2 should therefore be allowable for these reasons along the claims which depend therefrom. Claim 7 specifies that the changing mechanism is a color changer. The changing mechanism in Cleveland is apparently a shutter. This provides shutter

Application Serial No. 10/620,842  
Attorney's Docket No.: 07319-091002

openings between the blades, but does nothing about changing the color as defined by claim 7. Therefore, claim 7 should be even further allowable.

Demick teaches a light beam of up to 1200 W, and applicants make no claim that intensity greater than 300 W is by itself a patentable feature. However, when the light has a great intensity such as defined by claim 10, it becomes more important to keep the belt away from that light. Therefore, the subject matter of claim 10 is even further patentable, since it enables increased belt longevity under the conditions of the light having intensity greater than 300 watts. For all of these reasons, claims 1-10 should be allowable.

Claim 11 specifies maintaining the belt on the side of the movable device which is distant from the source of heat. This is even further patently distinct over Cleveland in view of Wharton. Nothing in Cleveland teaches maintaining the belt away from the source of heat, and in fact the teaching of Cleveland is that the belt should be on the side of the pulley that is directly adjacent the source of heat.

Wharton teaches absolutely nothing about source of heat whatsoever. Therefore, no fair combination of Cleveland in view of Wharton teaches or suggests "maintaining said belt on the

Application Serial No. 10/620,842  
Attorney's Docket No.:07319-091002

side of said movable device which is distant from said source of heat."

Moreover, Cleveland and Wharton would not be operatively combined by one having ordinary skill in the art for reasons stated above. Wharton teaches the somewhat unusual way of wrapping the belt in order to obtain more surface area and hence more drive against the pulley. This is quite simply not necessary in the pulley of Cleveland, and would not be combined by one having ordinary skill in the art.

Claim 17 specifies controlling the movable device using the belt connection and that the controlling comprises "maintaining said belt connection at all times no closer to said light than said movable device". As described above, Cleveland teaches exactly the opposite, that the belt is closer to the light than the movable device. Wharton teaches nothing about a light, and for reasons above, one having ordinary skill in the art would not operatively combine these two references. In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or


Application Serial No. 10/620,842  
Attorney's Docket No.: 07319-091002

concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to Deposit Account  
No. 06-1050.

Respectfully submitted,

Date: October 1, 2004



\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

Fish & Richardson P.C.  
PTO Customer Number: 20985  
12390 El Camino Real  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099  
10443262.doc